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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,670	01/02/2002	Fritz-Joerg Dauth	112740-321	9131
29177	7590	09/20/2005	EXAMINER	
BELL, BOYD & LLOYD, LLC			TSE, YOUNG TOI	
P. O. BOX 1135			ART UNIT	
CHICAGO, IL 60690-1135			PAPER NUMBER	
			2637	

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/936,670

Applicant(s)

DAUTH, FRITZ-JOERG

Examiner

YOUNG T. TSE

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 09142001.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. PCT/DE00/00641, filed on March 01, 2000.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "ET" has been used to designate input and output of different block elements; "AT" has been used to designate input and output of different block elements; and "ES" has been used to designate input and output of different block elements. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the

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description: the reference signs "A1 to A4" mentioned on pages 7 and 9 are not shown in Figure 1, reference signs "AR1 to AR4" are shown in Figure 1. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The substitute specification filed September 14, 2001 has not been entered because it does not conform to 37 CFR 1.125(b) and (c) because: the substitute specification start with page 2 and does not include the title of the invention, further, the abstract is not on a separate single sheet on page 13 which also including the cancellation of claims and part of the specification.

5. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

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The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

6. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

7. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The title of the invention is too long.

8. The disclosure is objected to because of the following informalities: page 10, line 7, "each can case" should be "each case can". Appropriate correction is required.

Claim Objections

9. Claims 16-18 and 20-22 are objected to because of the following informalities:

In line 2 of claims 16-18, "a phase locked loop" should be "the phase locked loop".

In claim 20, lines 4 and 15, "at least" should be "the at least" and line 17, "one frequency" should be "one controllable frequency".

In claim 21, line 3, "are" should be "is"; lines 3-4 and 7, "the control device" should be "the at least one control device"; and lines 4, 5 and 8, the word "items" should be "item".

In claim 22, line 2, the word "further" should be deleted.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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11. Claims 15-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 15 recites a method for automatically producing clock signals for sampling data signals at different data rates via a phase locked loop. However, the body of the claim does recite how to sample data signal at different rate in the phase locked loop.

In claim 15 (lines 4, 7 and 8-9), claim 19 (lines 4, 6-7, 10-12, 15-16 and 18-19), claim 20 (lines 6, 11-12 and 16), claim 21 (lines 6-7), claim 22 (lines 3-4), claim 23 (lines 4, 6 and 8-9), claim 26 (lines 4-5), and claim 28 (line 2), the phrases "the data signal", "the selected clock signal", "the transmission protocol", "the clock signal", "the digital data signal", "the sampled data signal", "the protocol identification information", "the respective protocol identification information", "the stored protocol identification information", "the at least one stored control device control information", "the respectively associated protocol identification information items", "the sampled data stream", "the detected transmission protocol", and "the control device control information" all lack antecedent basis.

The apparatus of claim 28 depends upon claim 15 is not understood since claim 15 is a method claim.

The dependent claims 16-18, and 24 are depended upon claims 15 and 19.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims 15-21 and 23-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Van Court.

Van Court (US patent 5917552) discloses a video signal interface system 10 in Figure 1 for displaying video signals from various sources utilizing a deductive control technique for processing a video signal in response to measured characteristics associated the video signal.

The video signal interface system 10 comprises at least a sampling unit 18 for sampling video signals controlled by a clock signal ADCKL generated by a clock/timing generator (44); a PLL circuit 26; and a processor and memory 38 for controlling at least the sampling unit 18 and the clock/timing generator 44.

Figure 3 shows the detailed embodiment of the video signal interface system 10 of Figure 1.

Figure 3A shows the detailed embodiment of the PLL 26 and frequency dividers of the clock/timing generator 44.

With respect to claims 15 and 19, as shown in Figure 3 and Figure 3A, the PLL 26 for synchronization of the clock signal generated by the clock/timing generator 44; the controllable frequency dividers 234 and 236 are controlled by the clock/timing generator 44 which is controlled by the processor and memory 38; and the sampling unit 18 for sampling the video signals during a synchronization process using the ADCKL.

With respect to claims 16-18, 20-21 and 23-28, the claimed subject matters are clearly shown in Figures 3 and 3A of the PLL 26, the clock/timing generator 44 and the control circuit of the processor and memory 38.

Allowable Subject Matter

14. Claim 22 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

15. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to show or suggest the combination of a protocol detector comprising a shift register for passing a sample data signal, a data signal and a clock signal, a memory register for temporary storing protocol identification information; and a comparator for comparing the values of the shift register and the memory register to generate a signal to control at least one frequency divider of the PLL.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yamashita et al. discloses an asynchronous signal extracting circuit comprising buffer memory, phase locked loop (PLL) circuit and a control unit for controlling a low pass filter of the PLL circuit to extract asynchronous signals multiplexed in a synchronization frame.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOUNG T. TSE whose telephone number is (571) 272-3051. The examiner can normally be reached on Monday-Thursday and alternative Friday.

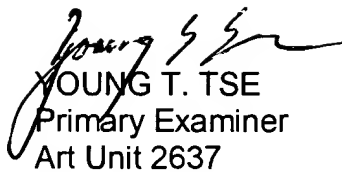
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jay Patel can be reached on (571) 272-2988. The Central FAX Number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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YOUNG T. TSE
Primary Examiner
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